

Not Entered

/PBP/

02/26/2008

RECEIVED  
CENTRAL FAX CENTER  
FEB 19 2008

**MARTIN & FERRARO, LLP**

ATTORNEYS AT LAW

17383 SUNSET BLVD, SUITE 315  
LOS ANGELES, CALIFORNIA 90272Telephone  
(310) 286-9800Facsimile  
(310) 286-2795

---

**FACSIMILE TRANSMITTAL**

---

**TO:**

**Name:** Mail Stop AF  
Group Art Unit 3738  
Examiner Paul B. Prebilic

**Firm:** U.S. Patent & Trademark Office**Fax No.:** 571-273-8300**Subject:** U.S. Patent Application No. 09/593,591

Gary K. Michelson

Filed: June 13, 2000

MANUFACTURED MAJOR LONG BONE RING  
IMPLANT SHAPED TO CONFORM TO A  
PREPARED INVERTEBRAL IMPLANTATION  
SPACE

Attorney Docket No. 101.0078-00000

Customer No. 22882

Confirmation No.: 5619

**FROM:****Name:** Amedeo F. Ferraro, Esq.**Phone No.:** 310-286-9800**No. of Pages (including this):** 41**Date:** February 19, 2008**Confirmation Copy to Follow:** NO

---

**Message:****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Transmittal Form (in duplicate) and Amendment After Final are being facsimile transmitted to the U.S. Patent and Trademark Office on February 19, 2008.



Sandra L. Blackmon

If there is a problem with this transmission please call the sender at the number above.

---

The information contained in this facsimile message is privileged and confidential information intended only for the use of the addressee listed above. If you are not the intended recipient or the employee or agent responsible to deliver this message to the intended recipient, please do not use this transmission in any way, but contact the sender by telephone.

FORM PTO-1083

Attorney Docket No.: 101.0078-0000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gary K. Michelson

Serial No: 08/593,591

Filed: June 13, 2000

For: MANUFACTURED MAJOR LONG BONE  
RING IMPLANT SHAPED TO CONFORM  
TO A PREPARED INVERTEBRAL  
IMPLANTATION SPACE

Confirmation No.: 5619

Art Unit: 3738

Examiner: Paul B. Preblich

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment After Final in reply to the Final Office Action dated December 17, 2007 in the above-identified application.

☒ No additional fee is required.☐ Applicant hereby requests a \*\*\*-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	244	-	284	0	LG=\$50 SM=\$25	\$50 \$ 0
INDEPENDENT CLAIMS FEE	9	-	9	0	LG=\$200 SM=\$100	\$200 \$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$180	\$ 0
TOTAL						\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

☐ The total amount of \$\*\*\*.00 to cover the \*\*\*-month extension fee is to be charged to Deposit Account No. 60-3726.☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 60-3726. A copy of this sheet is enclosed.☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,

MARTIN &amp; FERRARO, LLP

Date: February 19, 2008

By: 

Alexander F. Ferraro

Registration No. 37,129

1557 Lake O'Pines Street, NE  
Hartsville, Ohio 44632  
Telephone: (310) 286-9800  
Facsimile: (310) 286-2795

Transmittal of AF 2-19-08.DOC

**RECEIVED**  
**CENTRAL FAX CENTER**

FORM PTO-1083

**FEB 19 2008** Attorney Docket No.: 101.0078-0000  
 Customer No. 22882

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
 Gary K. Michelson  
 Serial No: 09/593,591  
 Filed: June 13, 2000

For: **MANUFACTURED MAJOR LONG BONE  
 RING IMPLANT SHAPED TO CONFORM  
 TO A PREPARED INVERTEBRAL  
 IMPLANTATION SPACE**

Confirmation No.: 5619

Art Unit: 3738

Examiner: Paul B. Preblin

Mall Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment After Final in reply to the Final Office Action dated December 17, 2007 in the above-identified application.

☒ No additional fee is required.

☐ Applicant hereby requests a \*\*\*-month extension of time to respond to the above office action.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR		(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTRY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	244	-	284	**	0	LG=\$50 SM=\$25	\$50 \$ 0
INDEPENDENT CLAIMS FEE	0	-	0	---	0	LG=\$200 SM=\$100	\$200 \$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						LARGE ENTITY FEE = \$380 SMALL ENTITY FEE = \$180	\$ 0
						TOTAL	\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

☐ The total amount of \$\*\*\*.00 to cover the \*\*\*-month extension fee is to be charged to Deposit Account No. 50-3726.

☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**

☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims

☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
 MARTIN & FERRARO, LLP

Date: February 19, 2008

By: 

Federico F. Ferraro  
 Registration No. 37,129

1557 Lake O'Pines Street, NE  
 Hartsville, Ohio 44632  
 Telephone: (310) 286-8800  
 Facsimile: (310) 286-2795

Transmittal of AF 2-19-08.DOC

RECEIVED  
CENTRAL FAX CENTER

FEB 19 2008

RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3774

PATENT  
Attorney Docket No. 101.0078-00000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Confirmation No.: 5619
Gary K. Michelson	)	
Serial No.: 09/593,591	)	Group Art Unit: 3738
Filed: June 13, 2000	)	Examiner: Paul B. Prebilic
For: MANUFACTURED MAJOR LONG	)	
BONE RING IMPLANT SHAPED	)	
TO CONFORM TO A PREPARED	)	
INTERVERTEBRAL	)	
IMPLANTATION SPACE	)	

Mall Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**AMENDMENT AFTER FINAL**

In reply to the Final Office Action of December 17, 2007, and pursuant to 37 C.F.R. § 1.116, Applicant proposes that this application be amended as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 35 of this paper.

Amendment After Final 02-19-08